

DAILY DIGEST

Vol. 16, No. 42

March 4,1997

**Before an entry denotes that the item is part of the FCC's implementation of the 1996 Telecom Act. While we will attempt to flag all Telecom Act-related items, this marking is unofficial and informational only.

PUBLIC NOTICES

Released: March 4, 1997. PUBLIC INFORMATION COLLECTION REQUIREMENTS SUBMITTED TO OFFICE OF MANAGEMENT AND BUDGET (OMB) FOR REVIEW. Contact: Dorothy Conway at (202) 418-0217.

Released: March 4, 1997. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG - DOMINANT CARRIERS.March 3, 1997. Internet URL:

https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/Dominant/d030397.pdf

Released: March 4, 1997. TARIFF TRANSMITTAL - PUBLIC REFERENCE LOG - NON-DOMINANT CARRIERS.March 3, 1997. Internet URL:

https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/Non-Dominant/nd030397.pdf

Released: March 4, 1997. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG INFORMAL TARIFFS - OPERATOR SERVICE PROVIDERS.March 3, 1997. Internet URL:

https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/Operator/os030397.pdf

Released: March 4, 1997. TRANSFER OF COMPETITIVE PRICING DIVISION'S PUBLIC FILES OF NON-DOCKETED PROCEEDINGS TO THE COMMON CARRIER BUREAU REFERENCE ROOM. (DA No. 97-464).

Released: March 4, 1997. CABLE SERVICES ACTION - RCN-BETG, LLC.Received a Notice of Intent to Establish an Open Video System. (DA No. 97-467). Contact: Steve Broeckaert at (202) 418-1058.. News Media Contact: Morgan Broman (202) 418-2358. Internet URL:

https://www.fcc.gov/Bureaus/Cable/Public_Notices/1997/da970467.txt

Released: March 4, 1997. CABLE SERVICES ACTION - NORTHAMPTON PROPERTY OWNERS ASSOCIATIONS.Petition filed seeking declaratory ruling that certain protective covenants of a property owners association in San Antonio Texas are preempted by the Commission's Over-the-Air Reception Device Rule.

Comments due April 3; replies due April 18. (DA No. 97-462). Contact: Eloise Gore at (202) 418-1059.. News Media Contact: Morgan Broman (202) 418-2358. Internet URL:

https://www.fcc.gov/Bureaus/Cable/Public_Notices/1997/da970462.txt

Released: March 4, 1997. CABLE SERVICES ACTION - RESIDENTIAL COMMUNICATIONS NETWORK OF NEW YORK, INC.Received a Notice of Intent to Establish an Open Video System. (DA No. 97-466).

Contact: Steve Broeckaert at (202) 418-1058.. News Media Contact: Morgan Broman (202) 418-2358. Internet URL: https://www.fcc.gov/Bureaus/Cable/Public_Notices/1997/da970466.txt

Report No: 43941. Released: March 4, 1997. BROADCAST ACTIONS. Internet URL:

https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Actions/ac970304.txt

Report No: 23941. Released: March 4, 1997. BROADCAST APPLICATIONS. Internet URL:
https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap970304.txt

Report No: 23941A. Released: March 4, 1997. BROADCAST APPLICATION. Broadcast Station Application
Accepted for Filing. Internet URL:
https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap70304a.txt

Released: March 4, 1997. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILINGS
IN NON-RESTRICTED PROCEEDINGS. Contact: Barbara Lowe at (202) 418-0310. Internet URL:
https://www.fcc.gov/Bureaus/Miscellaneous/Public_Notices/Exparte/ex970304.html

TEXTS

TBA, INC., ET AL, V. THE OHIO BELL TELEPHONE COMPANY. Denied Applications for Review filed by
TBA, et. al. as to whether Ohio Bell had violated its existing section 214 grant of authority in connection with
the construction, operation and extension of lines of a broadband cable television transport system. Action by the
Commission. Adopted: February 20, 1997. by MO&O. (FCC No. 97-64). CCB Internet URL:
https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1997/fcc97064.txt

ARMSTRONG UTILITIES, INC. Granted petition for special relief for modification of the television market of
Station WGGN-TV, Sandusky, Ohio; Affirmed denial of complaint of Christain Faith Broadcast, Inc. for must-
carry on cable system serving Ashland and Medina, Ohio and nearby communities. Action by Deputy Chief,
Cable Services Bureau. Adopted: February 26, 1997. by MO&O. (DA No. 97-458). CSB Internet URL:
<https://www.fcc.gov/Bureaus/Cable/Orders/1997/da970458.txt>

FALCON CABLE SYSTEM. Granted Falcon's motion to dismiss its petition for review of a rate order adopted
by the City of Yoncalla, Oregon. Action by Chief, Consumer Protection and Competition Division, Cable
Services Bureau. Adopted: February 28, 1997. by Order. (DA No. 97-459). CSB Internet URL:
<https://www.fcc.gov/Bureaus/Cable/Orders/1997/da970459.txt>

WANDER CABLE TELEVISION OF SEA RANCH. Dismissed the complaint regarding the cable programming
services tier that Wander Cable Television was charging in Sea Ranch California because the complaint
concerned the BST rate that is outside the jurisdiction of the Federal Communications Commission. Action by
Chief, Financial Analysis and Compliance Division, Cable Services Bureau. Adopted: February 27, 1997. by
Order. (DA No. 97-457). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da970457.txt>

SOUTHEAST FLORIDA CABLE, INC. D/B/A ADELPHIA CABLE COMMUNICATIONS. Denied the
complaints filed against the rate charged for cable programming services in Unincorporated Martin County, FL.
Action by Chief, Financial Analysis and Compliance Division, Cable Services Bureau. Adopted: February 25,
1997. by Order. (DA No. 97-456). CSB Internet URL:
<https://www.fcc.gov/Bureaus/Cable/Orders/1997/da970456.txt>

ADDENDA: The following items, released March 3, 1997, did not appear in Digest No. 41:

NEWS RELEASES

FCC ANNOUNCES PLAN FOR SATELLITE DARS. Announced a plan to license two providers of satellite
DARS which plan to use satellites to provide continuous nationwide radio programming with compact disc

quality sound. By Report and Order, Memorandum Opinion and Order and Further Notice of Proposed Rulemaking.. Report No: IN 97-4. Action by: the Commission. Adopted: March 3, 1997. Dkt No.: IB- 95-91. (FCC No. 97-70) News Media Contact: Meribeth McCarrick (202) 418-0500. IB Contact: John Stern at (202) 418-0746 and WTB Contact: Amy Zoslov at (202) 418-0639. Internet URL: https://www.fcc.gov/Bureaus/International/News_Releases/1997/nrin7004.txt

PUBLIC NOTICES

Released: March 3, 1997. WRC-97 ADVISORY COMMITTEE MARCH MEETINGS OF INFORMAL WORKING GROUPS. Contact: Crystal Foster at (202) 418-0749..

Released: March 3, 1997. APC PCS LLC D/B/A AMERICAN PERSONAL COMMUNICATIONS SEEKS WAIVER OF SECTION 310 (B)(4) FOREIGN OWNERSHIP BENCHMARK. Comments due March 24; Replies due April 8. (DA No. 97-463).

TEXTS

PAGING COMPANIES. Responded to letter sent by Ms. Cathleen A. Massey, et. al., dated January 30, 1997, that sets forth the parties' concerns regarding disagreements among several local exchange carriers and the paging companies that the parties' represent. Action by Bureau Chief. Adopted: March 3, 1997. by Letter. CCB

CABLEVISION SYSTEMS CORPORATION. Issued letter granting Cablevision's request for a 45 day extension of the deadline to file FCC Form 1205. Action by Bureau Chief. Adopted: March 3, 1997. by Letter. (DA No. 97-465). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da970465.txt>

FCC ANNOUNCES PLAN FOR SATELLITE DARS. Announced a plan to license two providers of satellite DARS which plan to use satellites to provide continuous nationwide radio programming with compact disc quality sound. By Report and Order, Memorandum Opinion and Order and Further Notice of Proposed Rulemaking. Dkt No.: IB- 95-91. Action by the Commission. Adopted: March 3, 1997. by R&O, MO&O, FNPRN. (FCC No. 97-70). IB Internet URL: <https://www.fcc.gov/Bureaus/International/Orders/1997/fcc97070.txt>

ADDENDA: The following items, released February 28, 1997, did not appear in Digest No. 40:

TEXTS

METRO COMMUNICATIONS, INC. V. AMERITECH MOBILE COMMUNICATIONS, INC. The Bureau clarified that nothing in the Metro Communications ruling suggests that CMRS carriers are subject to the resale rule that may use exclusivity as a basis to "reasonably discriminate" among resellers with respect to rates, terms or other conditions of service. Action by Bureau Chief. Adopted: February 26, 1997. by Letter. (DA No. 97-433). WTB

